

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/802,829	
	Filing Date	August 3, 2004	
	First Named Inventor	Dale J. Kempf	
	Art Unit	1614	
	Examiner Name	Raymond J. Henley III	
Total Number of Pages in This Submission		Attorney Docket Number	7050US02

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input checked="" type="checkbox"/> 1.53(e) Petition (4 pages)  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):  Return receipt postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Abbott Laboratories	Attorney Name	Lydia N. Nenow	Reg. No.	52,530
Signature					
Date	February 27, 2007				

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Lydia N. Nenow	Express Mail Label No.	EV 959284222 US
Signature		Date	February 27, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



*Effective 2/8/2006. Patent fees are subject to annual revision.*

☐ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b>	<b>400</b>
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**Complete if Known**

Application Number	10/802,829
Filing Date	August 3, 2004
First Named Inventor	Dale J. Kempf
Examiner Name	Raymond J. Henley III
Art Unit	1614
Attorney Docket No.	7050USO2

**METHOD OF PAYMENT** (check all that apply)

☐ Check    ☐ Credit card    ☐ Money Order    ☐ Other    ☐ None☒ **Deposit Account:**

Deposit  
Account  
Number

01-0025

**Deposit  
Account  
Name**

Abbott Laboratories

**The Director is authorized to:** *(check all that apply)*

☒ Charge fee(s) indicated below    ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, **except for the filing fee**  
 to the above-identified deposit account.

### FEE CALCULATION

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	150	Utility filing fee	
1012	200	2012	100	Design filing fee	
1013	200	2013	100	Plant filing fee	
1014	300	2014	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

<b>SUBTOTAL (1)</b>	<b>(\$)</b> 0
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## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below		Fee Paid	
Total Claims	<input type="text"/>	-20 **	=	<input type="text" value="0"/>	X	<input type="text"/>	=	<input type="text" value="0"/>
Independent Claims	<input type="text"/>	-3 **	=	<input type="text" value="0"/>	X	<input type="text"/>	=	<input type="text" value="0"/>
Multiple Dependent						<input type="text"/>	=	<input type="text" value="0"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

<b>SUBTOTAL (2)</b>	<b>(\$)</b> 0
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**\*or number previously paid, if greater; For Reissues, see above**

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

	Large Entity	Small Entity
1. <b>Revenue Recognition</b>	Revenue is recognized when it is realized or realizable and earned, regardless of when cash is received.	Revenue is recognized when it is realized or realizable and earned, regardless of when cash is received.
2. <b>Expense Recognition</b>	Expenses are recognized when the related liability is incurred, regardless of when cash is paid.	Expenses are recognized when the related liability is incurred, regardless of when cash is paid.
3. <b>Asset Recognition</b>	Assets are recognized when they are acquired, regardless of when cash is paid.	Assets are recognized when they are acquired, regardless of when cash is paid.
4. <b>Liability Recognition</b>	Liabilities are recognized when they are incurred, regardless of when cash is paid.	Liabilities are recognized when they are incurred, regardless of when cash is paid.
5. <b>Equity Recognition</b>	Equity is recognized when it is contributed, regardless of when cash is received.	Equity is recognized when it is contributed, regardless of when cash is received.

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1452	500	2452	250	Petition to revive – unavoidable	
1453	1500	2453	750	Petition to revive – unintentional	
1462	400	1462	400	Petition fee under 37 CFR 1.17(f)	400
1463	200	1463	200	Petition fee under 37 CFR 1.17(g)	
1464	130	1464	130	Petition fee under 37 CFR 1.17(h)	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	

Other fee (specify) \_\_\_\_\_


*Reduced by Basic Filing Fee Paid	SUBTOTAL (3)	(\$ 400
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#### 4. SEARCH/EXAMINATION FEES

1111	500	2111	250	Utility Search Fee	
1112	100	2112	50	Design Search Fee	
1113	300	2113	150	Plant Search Fee	
1114	500	2114	250	Reissue Search Fee	
1311	200	2311	100	Utility Examination Fee	
1312	130	2312	65	Design Examination Fee	
1313	160	2313	80	Plant Examination Fee	
1314	600	2314	300	Reissue Examination Fee	

**SUBTOTAL (4)** (\$)**0**

## SUBMITTED BY

Name (Print/Type)		Lydia N. Nenow	Registration No. (Attorney/Agent)	52,530	Telephone	(847) 938-0389
Signature					Date	February 27, 2007

Complete (if applicable)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dale J. Kempf, et al.  
Serial No: 10/802,829  
Filed: August 3, 2004  
Title: Method for Treating a Disease, Disorder or Adverse Effect Caused by an Elevated Serum Concentration of an UGT1A1 Substrate  
Confirmation No: 4276  
Group Art Unit: 1614  
Examiner: Raymond J. Henley III  
Attorney Ref: 7050USO2

February 27, 2007

03/01/2007 MBLANCO 00000005 010025 10002029  
03 FC:1462 400.00 DA

**PETITION UNDER §1.53(e) TO ACCORD A FILING DATE  
TO A NONPROVISIONAL APPLICATION**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir/Madam:

Applicants respectfully request that a March 18, 2004 (rather than an August 3, 2004) filing date be accorded to the above-referenced patent application. As shown from the enclosed return receipt postcards stamped by the Patent Office, the application was filed (hand-delivered) on March 18, 2004 with drawings. Nevertheless, in a June 1, 2004 Notice of Incomplete Nonprovisional Application, the Patent Office stated that no filing date had been assigned to the application because it was filed without drawings. Applicants filed copies of the drawings (together with an executed declaration) in a submission entitled "Response to Notice to File Missing Parts" on July 30, 2004. Subsequently, the application was accorded an August 3, 2004 filing date (*i.e.*, the date on which, according to the Patent Office, the drawings were received by the Patent Office).

\*\*\*\*\*

Applicants authorize the Commissioner to charge \$400 for the §1.17(f) fee to Deposit Account No. 01-0025. Applicants also respectfully request that the fee be refunded upon grant of this petition.

Applicants believe that they do not owe any other fee(s) for this filing. If, however, Applicants do owe such fee(s), the Commissioner is hereby authorized to charge those fee(s) to Deposit Account No. 01-0025. In addition, if there is ever any fee deficiency or overpayment under 37 C.F.R. §1.16 or §1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 01-0025.

U.S. Patent Application No. 10/802,829  
Petition under 37 C.R.R. §1.53(e) to Accord  
Filing Date to Nonprovisional Application  
February 27, 2007

Respectfully submitted,  
Kempf et al.



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Lydia N. Nenow, PTO Reg. No. 52,530  
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U.S. Patent Application No. 10/802,829  
Petition under 37 C.R.R. §1.53(e) to Accord  
Filing Date to Nonprovisional Application  
February 27, 2007

7050US02      KSF/tmp/PPD      03/17/0

Patent Office Mail Room: Will you  
please affix the Patent Office Stamp  
and return this card to acknowledge  
receipt of the following documents:

Applicants: Kempf, et al.  
Serial No.:

Filing Date: March 17, 2004

Title: A METHOD FOR TREATING A DISEASE,  
DISORDER OR ADVERSE EFFECT CAUSED BY AN  
ELEVATED SERUM CONCENTRATION OF AN  
UGT1A1 SUBSTRATE

- 1    Utility Patent Application Transmittal, in duplicate
2.   Specification (18 Pages); Claims (2 Pages); Abstract (1 Page); Drawings (6 Pages), in duplicate
- 3    Fee Transmittal, in duplicate
- 4    Unexecuted Declaration and Power of Attorney
- 5    (2) Return Receipt Postcard

All hand delivered to the Patent and Trademark Office by Somchay Chinyavong on March 18,  
2004.



7050US02      KSF/tmp/PPD      03/17/04

Patent Office Mail Room: Will you  
please affix the Patent Office Stamp  
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receipt of the following documents:

Applicants: Kempf, et al.  
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- 4    Unexecuted Declaration and Power of Attorney
- 5    (2) Return Receipt Postcard

All hand delivered to the Patent and Trademark Office by Somchay Chinyavong on March 18,  
2004.

15535 U.S. PTO  
10/802829



U.S. Patent Application No. 10/802,829  
Petition under 37 C.R.R. §1.53(e) to Accord  
Filing Date to Nonprovisional Application  
February 27, 2007



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service (Express Mail Label No. **EV 959284222 US**) on **February 27, 2007** with sufficient postage as first class mail (including Express Mail per MPEP §512), and addressed to **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**.

A handwritten signature in cursive script, appearing to read "Lydia N. Nenow".

Lydia N. Nenow, PTO Reg. No. 52,530